

The 3.5 Year Maintenance Fee was subsequently paid on April 19, 2004 in an amount of \$455 due for a small entity, and small entity status was established in good faith in connection with this payment.

A correction of entity status was filed on July 16, 2010, notifying the Office that small entity status was no longer claimed. The 7.5 year maintenance fee was paid in an amount of \$2,480 for a large entity and the 11.5 year maintenance fee was paid in an amount of \$4,730 for a large entity.

It has since later been discovered that small entity status was established in error for the payment of the 3.5 year maintenance fee on April 19, 2004.

Correction of Error in Entity Status Pursuant to C.F.R. 1.28(c)

Applicants respectfully request that all errors in small entity status be excused and hereby authorize payment of all deficiencies in the fees for the above-identified application. Fee deficiencies in connection with the 3.5 year maintenance fee erroneously paid for a small entity are being submitted with this request. If this is incorrect, or as necessary, the Office is hereby authorized to charge all deficiencies owed for this application.

In compliance with 37 CFR § 1.28(c), Applicants submit herewith payment in the amount of \$695.00. Pursuant to 37 C.F.R. §§ 1.28(c)(i) and 1.28(c)(ii), the following deficiency calculation and itemization information is provided.

**Itemization of the Deficiency Payment**

Item No.	Filing Date of Fee	Type of Fee Paid	Column A: Current Fee Amount as a Large Entity	Column B: Fee Amount Originally Paid	Deficiency Amount Owed (Col. A minus Col. B)
1	04/19/2004	3.5 Year Maintenance Fee	\$1150	\$455	\$695
		<b>Totals</b>	<b>\$1150</b>	<b>\$455</b>	<b>\$695</b>

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**Calculation of Deficiency Payment**

The deficiency owed is the difference between the Total of Column A: Current Fee Amount as a Large Entity (\$1150 for 3.5 Year Maintenance Fee) and the Total of Column B: Amount Originally Paid (\$455 for 3.5 Year Maintenance Fee). In this case, the Deficiency Owed is \$695.00.

Submitted herewith is a Fee Transmittal Form PTO/SB/17 (03-12) authorizing the Director to deduct \$695 for the deficiency owed from Deposit Account No. 07-1969. If this amount is not correct, or as otherwise necessary, please charge any deficiency or credit any overpayment for this submission to Deposit Account No. 07-1969.

Respectfully submitted,

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Attorney Docket No. 56-08B

/sbbaroneREG53968/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/020,565 Confirmation No. 3405  
Applicant : Joseph W. Lyding et al.  
Filed : January 16, 1998  
Patent No. : 6,147,014  
Issued : November 14, 2000  
Group Art Unit : 2823  
Examiner : LEE, HSIEN MING  
For : Forming of Deuterium Containing Nitride Spacers and  
Fabrication of Semiconductor Devices  
Docket No. : 56-08B  
Customer No. : 23713

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF EFS-WEB FILING

I hereby certify that this correspondence is being submitted via  
the USPTO EFS-WEB system on the date indicated below.

December 3, 2012  
Date

/laurasedlacek/  
Laura Sedlacek

REQUEST FOR CORRECTION OF ERROR IN ENTITY STATUS AND ACCEPTANCE  
OF DEFICIENCY PAYMENT UNDER 37 C.F.R. 1.28(c)

Sir:

Applicants respectfully request excuse of an error in small entity status for the  
above-identified patent and acceptance of payment of a deficiency in fees under 37  
C.F.R. § 1.28(c).

Statement of the Facts

The following is based on information and belief and is based, at least in part, on  
review of available items of record according to the US Patent Office.

The above-referenced patent was filed on January 16, 1998, and issued on  
November 14, 2000, without establishing small entity status. Fees for a large entity  
were paid upon filing, throughout prosecution and at issuance.